

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42801 of 2015

Arising Out of PS.Case No. -63 Year- 2015 Thana -AURAI District- MUZAFFARPUR

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1. Ram Uday Rai @ Udan Rai S/o Late Sukhlu Rai
 2. Sanjay Rai
 3. Chandeshwar Rai
 4. Ramu Rai @ Jai Prakash Rai All sons of Ram Uday Rai @ Udan Rai All residents of Village - Prem Nagar Bhalura, P.S. Aurai, Dist - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-10-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 379, 354, 504 and 506 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that in the background of land dispute, the accused persons assaulted the informant and abused him by calling caste name.

It is submitted by learned counsel for the petitioners that for the occurrence of 20.02.2015, the fardbeyan of the

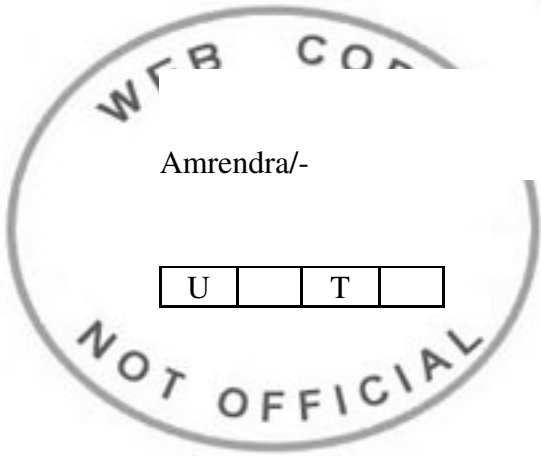


informant was recorded on 24.02.2015 which came to be registered as a police case on 21.04.2015. The petitioners' side also lodged Complaint Case No. 409 of 2015 on 19.02.2015 against the informant's husband. The actual dispute is that some land was earlier purchased by the petitioners' side and thereafter the informant also purchased the same land. As per the own admission of the informant, the police was there when the incident took place but neither the fardbeyan of the informant was recorded nor FIR was registered.

Considering the fact that the petitioner no.1 is involved in one other case also, let the learned court below consider the prayer for regular bail of petitioner no.1 if he surrenders within a period of six weeks.

So far as petitioner nos. 2 to 4 are concerned, considering the delayed lodging of the case and the accusation being made in the background of land dispute, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Muzaffarpur in connection Auri P.S. Case No. 63 of 2015, subject to the

conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)

Amrendra/-

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